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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/650,604      | 08/28/2003  | Kirk D. Ellett       | BO1 - 0225US        | 8307             |

60483 7590 09/06/2006

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EXAMINER

YENKE, BRIAN P

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2622     |              |

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/650,604

Applicant(s)

ELLETT, KIRK D.

Examiner

BRIAN P. YENKE

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Amendment (03 July 2006).
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,7,8,10-15,17-21 and 24 is/are rejected.
- 7) ☒ Claim(s) 6,9,16 and 22-23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,7, 10,13,17-18,21 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Berry et al., US 5,929,895.

In considering claims 1, 7, 10, 13, 17-18, 21 and 24,

*a) the claimed an interface...* is met by user seat display units 40 (Fig 1) which are coupled to processor and I/O 28 as shown where the data is provided by a bus/communication line.

*b) the claimed a switch...* is met by video crosspoint switch 27, which receives the desired user selection via processor 28 wherein the crosspoint switch operatively couples/connects to a plurality of video inputs (via tuners 25)/outputs (video A1 ... video H6) as shown. The video crosspoint/switch receives control signals via processor 28 wherein the function of the processor

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28 and crosspoint switch 27 is to receive a selection, generate a control signal and to then select and output the appropriate video signal.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-5, 8, 11-12, 14-15 and 19-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Berry et al., US 5,929,895.

In considering claims 2, 8, 12 and 20,

However, Beery does not explicitly recite the use of helmet display devices.

Beery does disclose the transmission/reception of signals which are used for interactive multimedia networks. Thus since the use of virtual reality environments, games which utilize equipment (such as helmets) fall into an interactive systems where interactivity on a plane are known, the examiner takes "OFFICIAL NOTICE" regarding the use of a Helmet being coupled to a switch to display/receive an input, since the use of such especially in an interactive gaming environment would have an obvious modification to one of ordinary skill in the art.

In considering claims 3-5 and 14-15,

However, Beery does not explicitly recite the switch constructed according to the PMC formfactor on single circuit board where the interface is adapted to connect to a PCI databus.

Berry discloses a system which includes an interface/bus/switch in selecting a desired input and desired output.

However, it is known to design a system as recited in the claims above, as disclosed by the applicant defined by IEEE 1386.1 specification.

Therefore, it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to modify/utilize in Berry which discloses a switching interface bus system, by implementing the system in a known method such as IEEE 1386.1 which has already defined such a system.

The motivation for doing so would allow the designer to utilize a standard/system which has already been defined—eliminating/reducing the need to design such a system/standard.

In considering claim 11 and 19,

Berry does not explicitly recite sixteen inputs/outputs, however Berry does disclose the use of 6 tuners which would obviously be able to receive a plurality of channels (meeting the 16 inputs) wherein the number of seat display units unless the airplane had less than 16 seats would meet the limitation as well. Nonetheless, the examiner will take “OFFICIAL NOTICE” pertaining to a system which comprises 16 inputs by 16 outputs, since the number of such inputs/outputs is a choice based upon the environment/system and thus produces no unexpected results (i.e having 12 inputs/12 outputs is not distinct from 16 inputs/16 outputs).

***Allowable Subject Matter***

4. Claims 6, 9, 16 and 22-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (571)272-7359. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, David L. Ometz, can be reached at (571)272-7593.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(571)-273-8300**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is

(703)305-HELP.

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800-PTO-9199 or 703-308-HELP

(FAX) 703-305-7786

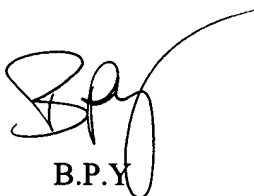
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An automated message system is available 7 days a week, 24 hours a day providing informational responses to frequently asked questions and the ability to order certain documents. Customer service representatives are available to answer questions, send materials or connect customers with other offices of the USPTO from 8:30 a.m. - 8:00p.m. EST/EDT, Monday-Friday excluding federal holidays.

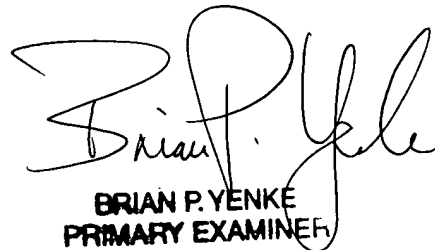
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For other technical patent information needs, the Patent Assistance Center can be reached through customer service representatives at the above numbers, Monday through Friday (except federal holidays) from 8:30 a.m. to 5:00 p.m. EST/EDT.

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B.P.Y.  
01 September 2006



BRIAN P. YENKE  
PRIMARY EXAMINER